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Security Council
Forty-ninth Year

Provisional

3475th Meeting
Friday, 2 December 1994, 8 p.m.
New York

President:	Mr. Bakuramutsa	(Rwanda)
Members:	Argentina	Mr. Cárdenas
	Brazil	Mr. Sardenberg
	China	Mr. Li Zhaoxing
	Czech Republic	Mr. Füle
	Djibouti	Mr. Olhaye
	France	Mr. Mérimée
	New Zealand	Mr. Keating
	Nigeria	Mr. Ayewah
	Oman	Mr. Al-Sameen
	Pakistan	Mr. Marker
	Russian Federation	Mr. Lavrov
	Spain	Mr. Laclaustra
	United Kingdom of Great Britain and Northern Ireland	Mr. Gomersall
	United States of America	Mr. Gnehm

Agenda

The situation in the Republic of Bosnia and Herzegovina

94-87330 (E)

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The meeting was called to order at 8.30 p.m.

Expression of thanks to the retiring President

The President (*interpretation from French*): As this is the first meeting of the Security Council for the month of December, I should like to take this opportunity to pay tribute, on behalf of the Council, to Her Excellency Mrs. Madeleine Korbel Albright, Permanent Representative of the United States of America to the United Nations, for her service as President of the Security Council for the month of November 1994. I am sure I speak for all members of the Security Council in expressing deep appreciation to Ambassador Albright for the great diplomatic skill and unfailing courtesy with which she conducted the Council's business last month.

Adoption of the agenda

The agenda was adopted.

The situation in the Republic of Bosnia and Herzegovina

The President (*interpretation from French*): I should like to inform the Council that I have received letters from the representatives of Bosnia and Herzegovina, Croatia, Egypt and Turkey, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Misic (Bosnia and Herzegovina) and Mr. Nobilo (Croatia) took places at the Council table; Mr. Elaraby (Egypt) and Mr. Batu (Turkey) took the places reserved for them at the side of the Council Chamber.

The President (*interpretation from French*): The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/1994/1358, which contains the text of a draft resolution submitted by Bosnia and Herzegovina, Croatia, Djibouti, Egypt, Nigeria, Oman, Pakistan, Rwanda and Turkey.

I should like to draw the attention of the members of the Council to documents S/1994/1246 and S/1994/1372, which contain the texts of letters dated 2 November and 1 December 1994 from the Secretary-General addressed to the President of the Security Council, transmitting the reports of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, concerning the operations of the International Conference's Mission to the Federal Republic of Yugoslavia (Serbia and Montenegro).

I should also like to draw the attention of the members of the Council to the following other documents: S/1994/1355, letter dated 25 November 1994 from the Permanent Representative of Pakistan to the United Nations addressed to the President of the Security Council; S/1994/1361, letter dated 28 November 1994 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the President of the Security Council; and S/1994/1364 and S/1994/1366, letters dated 30 November 1994 from the Permanent Representative of Bosnia and Herzegovina to the United Nations addressed to the Secretary-General and to the President of the Security Council, respectively.

Members of the Council have received photocopies of a letter dated 2 December 1994 from the Secretary-General addressed to the President of the Security Council, transmitting the report of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia on the conclusion of an Economic Agreement between the Croatian Government and the Serb local authorities, which will be issued as a document of the Security Council under the symbol S/1994/1375.

The first speaker is the representative of Bosnia and Herzegovina, on whom I now call.

Mr. Misic (Bosnia and Herzegovina): Allow me from the outset to congratulate His Excellency Ambassador Bakuramutsa on his assumption of the presidency of this Security Council. We are fully confident that he will ably lead this Council in confronting all the challenges it may encounter, especially at this time, when the credibility and even the utility of this Organization are in question. Also, allow me to commend Her Excellency Ambassador Albright on the

determined, eloquent and energetic fashion in which she led November's deliberations.

The draft resolution before us this evening is a manifestation of why the Security Council and the United Nations as a whole are in a position in which their credibility and utility are in question. The need for this draft resolution has been brought about not just because of the failure of resolution 820 (1993) — and specifically paragraph 12 — to be implemented, but also because the monitoring Mission of the International Conference on the Former Yugoslavia itself has, wittingly or unwittingly, facilitated the violation of paragraph 12, as indicated in the 2 November report of the International Conference's Co-Chairmen, whereby:

> "fuel is transported on 52 specially designated trucks ... Normally, convoys of some 20 trucks, escorted by police, transit into Croatia ... trucks leave Belgrade two to three times a week." (*S/1994/1246, para. 26*)

With total clarity, paragraph 12 prohibits the

> "import to, export from and transshipment through the United Nations Protected Areas in the Republic of Croatia and those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces, with the exception of essential humanitarian supplies",

saying that they

> "shall be permitted only with proper authorization"

from the Governments of the Republic of Bosnia and Herzegovina and Croatia.

Furthermore, this fuel is in addition to the fuel which the so-called Krajina Serbs regularly receive under other decisions, and has subsequently been used to carry out their war efforts against the Republic of Bosnia and Herzegovina. In this latest offensive, the Krajina Serbs have blatantly and with impunity violated, first, an international border; secondly, a United Nations-designated safe area; thirdly, a United Nations-established no-fly zone; fourthly, the demilitarized status of the United Nations Protected Areas; and fifthly, the Vance plan for Croatia. The Krajina Serbs have also sent some of this fuel to their cohorts in Bosnia, thus undermining the objectives that the Security Council set in resolution 943 (1994), adopted only 10 weeks ago. These fuel shipments have also allowed both the Croatian and the Bosnian Serbs to fire upon United Nations peace-keeping troops, putting these committed soldiers in direct jeopardy of life and limb and forcing them to abandon posts established within the Bihac safe area.

The legal and, moreover, the practical absurdity of the mission's actions are self-evident. It is unfortunate that because of an absence of will on the part of the United Nations Protection Force (UNPROFOR) command to implement Security Council resolutions, this Council must, for the second time in as many weeks, consider mandates already in existence. Nevertheless, we would welcome this resolution, as it sends the message that strategic resources such as fuel, directed to the so-called Krajina Serbs cannot be used for the pursuit of war and for violations of international law, nor can they be used for the benefit of the Bosnian Serb party. It would also give some desperately required reinforcement to the clear mandate on the delivery of humanitarian aid. In short, this resolution would, if adopted, pragmatically respond to the challenges that the transgressing Serb parties have presented to this Council and to UNPROFOR itself. On the other hand, the failure of this resolution would signify an evasion of responsibility, as well as ignoring and abrogating decisions of the Security Council. However, we are of the view that those members who fail to support this draft resolution would practically be associating themselves with the Knin and Pale authorities. And if some consider it now acceptable to send fuel to Knin and Pale, what will be considered acceptable later?

But even as we speak, we are being presented with new Serb challenges and outrages to international law and order. North Atlantic Treaty Organization (NATO) jets supplementing UNPROFOR's efforts have been fired upon, while Serb forces have recently been equipped with air defence systems. More than 400 UNPROFOR soldiers have been, in United Nations parlance, "detained", by Serbian forces. Serbian forces today fired three rockets into the Presidency building while the Special Representative of the Secretary-General was in the building, detailing the provisions of a cease-fire to which my Government agreed days ago. Regrettably, today's news suggests that the UNPROFOR command is not yet ready or willing to meet these challenges, but is once again taking a path that by now is spattered with blood, costly failure, and broken promises. I have to inform the Council that today President Izetbegovic sent a letter to the Secretary-General alerting him that Karadzic's Serbs have installed systems of surface-to-air missiles around the safe areas of Gorazde, Zepa and Srebrenica.

Rather than permitting action against the surface-to-air missiles which threaten NATO pilots in the Bihac region, the UNPROFOR command has chosen to ground NATO jets, abrogating the mandated enforcement of the "no-fly zone", and only two weeks after "Krajina Serb" jets strafed and bombed Bihac civilians. Even more discouraging is the fact that some Council members have not publicly asked where these air-defence systems came from, and when. Why then has the Council not called for an update on the success, or lack thereof, of the International Conference on the Former Yugoslavia (ICFY) monitoring mission?

The only thing worse than having military factors abdicate commitments and appease the arrogant and aggressive actions of Bosnian and Krajina Serbs is for civilian factors to do the same. Yet, it is being widely reported that the Contact Group, the civilian factors entrusted with bringing peace to the Republic of Bosnia and Herzegovina, are now considering allowing war criminals in Pale to confederate with Serbia and Montenegro, and also considering making further territorial concessions to the Pale Serbs. This would come at the expense of the peace plan drawn up by the Contact Group itself, at the expense of unitary and multi-ethnic Bosnia and Herzegovina, at the expense of the Bosnian population and at the expense of regional stability.

Yet Bosnians are not the only ones gravely concerned at this abandonment and appeasement, for this abandonment and appeasement come also at the expense of this Organization and the Charter on which it is based. What are the smaller nations of the United Nations, some with very powerful and aggressive neighbours, to think? For more than two and a half years, the standards set by the Geneva Conventions and by the Charter have plummeted, so much so that future aggressors can only scoff at the idea of international resolve.

If this resolution is adopted, we are hoping to see a new course of action evolve, but today's reports indicate otherwise. Unless a new course is undertaken, one characterized by determination and not by impotence, then not only Bosnia but this Organization will suffer serious consequences.

The international community should ask itself how far it can retreat from continued Serbian encroachments — encroachments not just against Bosnian land and people, but against Security Council resolutions, the Charter, and all relevant principles of international law and order. What kind of "new reality" will this retreat create? And finally, who will venture once more to ask my Government to face this new reality in the making?

The President (*interpretation from French*): I thank the representative of Bosnia and Herzegovina for the kind words he addressed to me.

The next speaker is the representative of Croatia, on whom I now call.

Mr. Nobilo (Croatia): Mr. President, allow me to congratulate you on your assumption of the presidency of the Council for this month. I should also like to congratulate your predecessor, the Ambassador of the United States of America, for her energetic and constructive work during the previous month.

The two-week long attack on Bihac is violating six major United Nations principles and decisions: first, the no-fly zone continues to be violated; secondly, the safe area continues to be violated; thirdly, the international border between Croatia and Bosnia and Herzegovina continues to be violated; fourthly, the mandate regarding delivery of humanitarian aid continues to be violated; fifthly, the mandate regarding the safety of United Nations Protection Force (UNPROFOR) personnel continues to be undermined. Finally, the illegal arrangements made by the co-Chairmen of the International Conference on the Former Yugoslavia (ICFY) to supply the local Croatian Serb party, which is attacking Bihac, with significant amounts of strategic material, fuel, that is being used against the Bihac safe area by both the local Croatian Serb party and the Bosnian Serbs represent a clear violation of Security Council resolution 820 (1993), paragraph 12.

My delegation believes that the draft resolution in document S/1994/1358 before us would send the right message — that the international community is not completely caving in to the circumstances in the Bihac region and that, despite its lack of resolve in respect of the use of force option, it is willing to take steps to minimize the suffering of the civilian population in the region. This is why my delegation has called for the timely adoption of this resolution.

In regard to the use of force in the region consistent with existing Security Council resolutions, and the importance my Government attaches to the credible use of this option as a critical element in the peace process, we must note that the way force was recently used in the region may have been counter-productive. It may have

served only to embolden the aggressors and demoralize the innocent civilians and defenders in Bihac. My Government had hoped that its permission to use Croatian airspace would serve to deter aggression. It has not.

For this reason, and because of some recent ideas on patrolling the airspace in the region, my Government will in the future request to study closely any proposals for the use of its airspace, and is now considering closely the present authorization for the use of its airspace altogether. In the case of military use of its airspace by regional arrangements, Croatia will permit the use of its airspace for the sole purpose of implementing Security Council resolutions.

At the same time, we are quite aware that the use of multinational air assets may no longer be an option. If, however, the international community chooses to completely withdraw from the problem of Bihac, my Government will draw the obvious conclusions. The lessons of Bihac will have wider implications. Our trust in the capacities and intentions of the international community in Croatia has come into question. Therefore, the views expressed by my Defence Minister in this regard should be taken very seriously.

Furthermore, the violation of the international border between Croatia and Bosnia and Herzegovina in respect of the developments in Bihac has not been adequately addressed by the Security Council. Such a state of affairs is promoting and allowing a de facto unification of the local Croatian Serb and Bosnian Serb parties into a single military and territorial entity. The Security Council is obligated to dispel any possibility of such a unification at this critical moment. The draft resolution will accomplish this objective by reinforcing principles already established in resolution 820 (1993).

The draft resolution will also reinforce the Security Council's clear mandate regarding the delivery of humanitarian assistance in Bosnia and Herzegovina and its clear responsibility to protect and secure the welfare of United Nations Protection Force (UNPROFOR) personnel in the region. While we are familiar with the trying situation of the brave Bangladeshi battalion in the area, we seem to overlook the fact that humanitarian convoys for civilian needs in Bihac have been blocked for weeks.

Moreover, the draft resolution would send a message that strategic resources, such as fuel, directed to the local Croatian Serb party cannot be used for the benefit of Bosnian Serbs nor be used by the local Croatian Serb party to violate the territorial integrity of Bosnia and Herzegovina, and that all arrangements to supply the local Croatian Serb party must cease unless, of course, this is approved by the Croatian Government beforehand.

Some delegations have expressed the view during the prior consultations that the draft resolution would affect negatively the economic reintegration agreement between the Croatian Government and the local Croatian Serb party signed today. I assure members that it would not. On the contrary, the draft resolution would promote the implementation of the agreement. Its implementation is possible only when the relevant borders are sealed and the local Croatian Serb party decides to cooperate with the Croatian Government to satisfy its economic and humanitarian needs.

In other words, the Security Council's adoption of the draft resolution would give political support for implementation of the agreement. The economic reintegration package is strictly tied to all Security Council resolutions, including resolution 820 (1993). Resolution 820 (1993), like all the others, will remain in force even if the Council acts negatively on the draft resolution.

Over the past few months, the Serbs have defied His Holiness Pope John Paul II; they have discredited the North Atlantic Treaty Organization (NATO); and they have snubbed the Secretary-General, among many others. It is this Council and Croatia that have yet to be subdued. Croatia will not be subdued.

The President *(interpretation from French):* I thank the representative of Croatia for the kind words he addressed to me.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it.

Unless I hear any objection, I shall put the draft resolution to the vote.

There being no objection, it is so decided.

I shall first call on those members of the Council who wish to make statements before the voting.

Mr. Marker (Pakistan): Allow me to convey to you, Sir, my delegation's congratulations on your assumption of the presidency of the Security Council for this month. I assure you of the full cooperation of the

delegation of Pakistan in the discharge of your important responsibilities.

I should also like to avail myself of this opportunity to convey the profound appreciation of the Pakistan delegation for the exemplary, efficient and outstanding manner in which Ambassador Madeleine Albright, Permanent Representative of the United States of America, guided the affairs of the Council during the month of November.

The Council once again debates the tragic crisis in the Republic of Bosnia and Herzegovina which has with every passing day worsened since it began some 32 months ago. The continued aggression by the Serbs against the Republic of Bosnia and Herzegovina and their remorseless pursuit of the abhorrent practice of "ethnic cleansing" and genocide of the civilian population — particularly the Muslims — undoubtedly constitutes one of the gravest tragedies of modern times.

The Bosnian Government and people have suffered a double tragedy. While on the one hand they have been the subject of Serbian aggression, on the other they have become the victims of international indifference and denied their inherent right to self-defence.

A large number of Security Council and General Assembly resolutions and an equally large number of presidential statements have remained unimplemented and unfulfilled. The defiance by the Bosnian Serbs of these resolutions and the will of the international community has no parallel in recent history. They have not only defied the Security Council resolutions but also spurned and rejected all peace proposals. The Government of Bosnia and Herzegovina, on the other hand, has throughout the crisis exhibited an exemplary spirit of understanding and courage and, despite the iniquitous nature of the peace plans, has accepted them. Unfortunately, the world community has stood by and appears unable to make any distinction between aggressor and victim. A similar paralysis existed in the 1930s, with the devastating consequences that are now a matter of history.

The latest position obtaining in the area of Bihac and the inaction of the United Nations Command and members of the five-nation Contact Group is a matter of grave concern for the delegation of Pakistan. A United Nations designated safe area has remained subjected to the attacks of Bosnian Serbs joined in by Krajina Serbs who are not only imperilling the safety and security of the civilian population but also violating the safe area of Bihac and the international border of the Republic of Bosnia and Herzegovina.

The Prime Minister of Pakistan, in a letter sent to the Secretary-General on 28 November 1994, stated:

> "I am writing to you to convey the deep concern and consternation shared by the people of Pakistan, and indeed by the people of the world, about the situation in Bihac. Immediate action is needed to save the population of Bihac from destruction. ... The need for action is immediate and brooks no delay. The United Nations cannot stand by and permit this genocide. To do so would be to destroy the credibility of the United Nations, make a mockery of what the United Nations stands for and encourage other would-be aggressors in today's turbulent world to take similar steps safe in the knowledge that the international community had been reduced to impotence. The consequences for the United Nations efforts to promote peace and stability could not be more devastating."

The Organization of the Islamic Conference (OIC) remains gravely concerned at the deteriorating condition in Bosnia and Herzegovina, particularly in the Bihac region. The Foreign Ministers of the OIC Contact Group on Bosnia and Herzegovina and the OIC troop-contributing countries will come together in an emergency ministerial meeting in Geneva on 6 December 1994 to review the situation in Bosnia and Herzegovina and to decide on further measures.

Pakistan, along with Bosnia and Herzegovina, Croatia, Djibouti, Egypt, Nigeria, Oman, Rwanda and Turkey, has the honour of sponsoring draft resolution S/1994/1358, which is under consideration by the Council. This draft merely reconfirms earlier decisions of the Security Council with respect to the transshipment of goods destined for the United Nations Protected Areas in the Republic of Croatia. It demands strict and full compliance with paragraph 12 of resolution 820 (1993) on the international border between the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro), as well as on the international border between the Republic of Croatia and the Republic of Bosnia and Herzegovina. It emphasizes importance of a continuous and unimpeded flow of humanitarian assistance to all the areas of the Republic of Bosnia and Herzegovina and calls on all parties to ensure unimpeded access for personnel of the Office of the United Nations High Commissioner for Refugees (UNHCR) and

personnel of the United Nations Protection Force (UNPROFOR) in the performance of their respective mandates.

This draft resolution is designed primarily to ensure the full implementation of the earlier decisions of the Security Council so that supplies intended for humanitarian assistance are not diverted for military purposes, thus enabling the Serbs to continue their present assault against Bosnia, particularly in the Bihac region. It is the hope of its sponsors that this draft resolution will receive the full support of the members of the Security Council.

The President *(interpretation from French):* I thank the representative of Pakistan for his kind words addressed to me.

Mr. Ayewah (Nigeria): The delegation of Nigeria wishes to congratulate you, Sir, on your assumption of the office of President of the Security Council for the month of December. You may rest assured of our full support and cooperation in the discharge of your duties.

I should like also to express my delegation's appreciation of the effective manner in which your predecessor, the Permanent Representative of the United States, Ambassador Madeleine Albright, conducted the affairs of the Council during the month of November.

As one of its sponsors, the Nigerian delegation wishes to reiterate that the primary objective of the draft resolution before the Council is to reaffirm and clarify the provisions of previous Council resolutions on the movement of non-humanitarian goods across the international borders in the areas of conflict in the former Yugoslavia.

It is clear that this draft resolution does not, and is not intended to, create new measures against any party to the conflict. Rather, it is intended to strengthen the implementation of the relevant resolutions already adopted by the Council on the subject.

We also believe that the draft resolution does not create new incentives or disincentives. It is our judgement that it will not impact negatively on the recently concluded economic agreement between the Croatian Government and the Serb local authorities. Rather, it will facilitate the various efforts on the ground, especially those of the Contact Group aimed at getting the Bosnian Serb party to accept the Peace Plan.

In recent weeks we have witnessed coordinated attacks across international borders and in violation of United Nations-designated safe areas in the Republic of Bosnia and Herzegovina. These events have more than convinced my delegation not only of the need but of the justification for the Council's serious consideration of this draft resolution.

What is more, according to the latest reports, we are now confronted in Bosnia not merely with restrictions on the movement of personnel of the United Nations Protection Force (UNPROFOR) but, more ominously, with their kidnapping and physical detention. We deplore these acts and once again call on all parties, particularly the Bosnian Serbs, immediately to accept a cease-fire arrangement and release all detained UNPROFOR personnel.

I wish to say, in conclusion, that my delegation will vote in favour of the draft resolution and hopes that it will enjoy the support of all the members of the Council.

The President *(interpretation from French)*: I thank the representative of Nigeria for the kind words he addressed to me.

Mr. Al-Sameen (Oman) *(interpretation from Arabic)*: I should like, at the outset, to express the sincere congratulations of the delegation of the Sultanate of Oman to you, Sir, on your assumption of the presidency of the Security Council for the current month. We wish you every success. We are convinced that, thanks to your well-known wisdom, ability and diplomatic skill, you will successfully conduct the business of the Council. I assure you of our full cooperation with you as you undertake your tasks.

I wish also to put on record our thanks and appreciation to the Ambassador of the United States and her delegation for their good work well done during her presidency of the Council in November — a month that was very busy indeed.

There is no doubt that the situation in Bosnia and Herzegovina, especially the latest acts of aggression against the Bihac area, are cause for grave concern. The latest battles, which resulted in the detention by the Serbs of some of the personnel of the United Nations Protection Force thus putting them at risk, as well as the bombing of the safe areas are acts that blatantly violate all the resolutions adopted by the Security Council — resolutions that affirm the inviolability of those areas and the need to

facilitate the task of United Nations personnel and not to restrict their freedom of movement in the discharge of their duties.

In spite of a marked improvement in the security situation in Bosnia and Herzegovina over the past few months and the subsequent steps that were taken and led to the intensification of international pressure on the Bosnian Serbs, the Croatian Serbs' entrance into the arena has brought about a negative change that now threatens the possibility of any settlement. Despite the concern expressed by the Council in the presidential statements of the past month over the continued aggression against the safe areas and the violation of international borders, despite condemnations by the Council of the military escalation which took the form of air attacks by Serbian warplanes and the dropping of cluster bombs on the inhabitants of those areas and despite the military strike by the North Atlantic Treaty Organization (NATO) against the areas from which the Serbian aircraft took off, no response was forthcoming and there was not the slightest compliance by the Croatian Serbs with any of the Security Council's resolutions. Even to this day, bombardment of Bihac continues unabated, raining death and destruction on the civilian population, their houses, their hospitals and their schools and resulting in the displacement of thousands of refugees seeking a respite from the fire of Serbian guns.

While my delegation supports all international efforts aimed at achieving an acceptable peaceful settlement that would spare the lives of thousands of people in Bosnia and Herzegovina and restore that Republic's stability and security, my delegation joins the non-aligned countries members of the Security Council, together with Egypt, Turkey, Bosnia and Herzegovina and Croatia, in sponsoring the draft resolution now before us. We believe that ultimately it seeks to provide for an international verification mechanism that would prevent fuel from getting to the Croatian Serbs, thus limiting their use of their military machine to bomb safe areas and cause further destruction. As a sponsor of the draft resolution, we are hopeful that, if it is adopted by the Council, it will contribute to stopping acts of aggression in Bosnia and Herzegovina. While we support the noble aims and peaceful principles that led to the necessity of proposing such a draft resolution which we believe is only a reiteration of other Security Council resolutions adopted in the past, we believe that the Council, if it adopts the draft resolution, will reaffirm its determination to reach a peaceful solution in that Republic. We therefore call upon the Serbs living in Croatia and the others concerned to adhere to the resolutions of the Security Council and not to take any actions that would threaten its security and endanger the safety of neighbouring peoples.

The President (*interpretation from French*): I thank the representative of Oman for the kind words he addressed to me.

Mr. Olhaye (Djibouti): My delegation is very pleased to welcome you, Sir, as our current President. We are certain that with your obvious dedication and tenacity you will provide the leadership and guidance the Council needs in these controversial times.

We also wish to express our deep appreciation for the very capable and skilful manner in which Ambassador Madeleine Albright of the United States directed the affairs of the Council last month at such a high level of productivity and accomplishment.

One must marvel at the consistent manner in which the pattern of events in Bosnia never changes, never surprises and remains so absolutely predictable. Each episode commences with the ceremonial laying down of the gauntlet, usually in the form of a clear and forthright Council resolution or a newly revised final peace plan laden with implicit punishment for dissenters and fully supported by the drafting Powers. Without fail, or at least usually, the Government of Bosnia accepts the resolution or the proposal and places the ball in the court of the Serbs, who, equally without fail, reject it. Then, in order to seize the initiative from the United Nations or the international peacemakers, the Serbs embark upon a programme of outrageous and confrontational behaviour designed to shatter the apparent unity and resolve of the Council or the apparently united front of the peacemakers, throwing policy into confusion and causing recriminations between members, the North Atlantic Treaty Organization (NATO) and the United Nations Protection Force (UNPROFOR), until all is in disarray. Once again, it seems the way out of this mess is sought in yet another form of concession to the Serbs by way of failure to implement clear Council resolutions or by the revision of peace proposals. Bihac fits this mould perfectly.

Particularly galling about the conflict in Bosnia has been the transparent manner in which the United Nations arms embargo has with our knowledge so singularly affected the Bosnian Government, leaving virtually unscathed the military capability of the Serbs. The dramatic turnaround and assault on Bihac is a result of this continuing arms imbalance, combined with the

incursion and participation across Bosnia's international borders of Croatian Serbs and Serb-armed Muslim renegades. Not surprisingly, Bihac is ready to fall.

There are murmurings, growing louder, which say that Bihac cannot be saved, that the United Nations and NATO can do nothing to reverse the Serb assault and that the situation is apparently hopeless. And, right on schedule, there is growing sentiment, it seems, to adjust the international peace plan to make it more attractive again to the Serbs. Obviously, anything done to make the final plan more attractive would simply amount to rewarding the Serbs for their aggression, to which, along with numerous other things, the Council has time and time again declared its firm opposition.

The stark truth is that the Bosnian Serbs have defiantly embarked upon a course of embarrassing the Council, UNPROFOR, the United Nations and NATO — in fact, the entire international community. The odd thing is that in so many ways and for so long this has been accepted. The only difference is that we are now clearly poised to accept the invincibility of the Serbs, and the consequences are unquestionably disastrous.

What is unsettling at this juncture are the lessons of history, which call for the preparation of a revised final proposal encompassing new conditions thought to be more favourable to the Serbs. Predictably, the Bosnian Government will be heavily pressured to accept the proposal, which they probably will, only to have it rejected yet again by the Bosnian Serbs. There will follow a period in which their behaviour is confrontational and aggressive, causing a reconsideration of the proposal, and the process continues to repeat itself until eventually there will be very little left for the Bosnian Government to concede. There may, in fact, no longer be a Bosnia. Very simply, my delegation believes the Council can intervene to halt this process, and that honour demands that we simply do what we have already said we are going to do.

My delegation therefore feels that the effort to constrain the Serb war machine needs to continue with maximum effort. Resolution 820 (1993), particularly paragraph 12, contains the authority and provisions, as well as the spirit, of what the draft resolution intends, namely, totally to shackle the Serb war-making capability. It is difficult to imagine objections to such a move in the light of recent Serb assaults in Bihac and Sarajevo and across the borders of Bosnia. Unless this violent, unreasonable and now contemptuous force is checked, we may face the very real possibility of a serious escalation of hostilities involving many more players in and around the Balkans.

Had we simply implemented the provisions of our previous resolutions resolutely from the beginning, clearly we would not be where we are today. This draft resolution, initiated by members of the Non-Aligned Movement in the Security Council, simply says: Let us do what we wanted to do in the first place, and do it now.

The President (*interpretation from French*): I thank the representative of Djibouti for the kind words he addressed to me.

Mr. Li Zhaoxing (China) *(interpretation from Chinese):* First, allow me to congratulate you, Mr. President, on your assumption of your important post at this critical moment. I am convinced that, given your intelligence, experience and outstanding skill, you will successfully guide the work of the Security Council this month.

I should also like to thank your predecessor, Ambassador Albright, for her successful conduct of the work of the Council during the past month.

What concerns the Chinese delegation most are the peace efforts to solve the conflict in Bosnia, because, fundamentally and from the long-term perspective, the real hope for a solution to the Bosnian conflict lies in political and diplomatic efforts rather than in anything else. Therefore, we urge the parties concerned to continue their patient negotiations to reach an appropriate solution.

We can understand the concern of the sponsors of the draft resolution over the worsening situation in Bosnia. We can support the elements in the draft resolution that reaffirm respect for the territorial integrity of the Republic of Bosnia and Herzegovina and the Republic of Croatia, the need to ensure the safety of United Nations Protection Force (UNPROFOR) personnel and the need to strengthen humanitarian assistance as well as to ensure UNPROFOR's unimpeded ability to perform its mandate.

However, I would reiterate that we cannot agree to invoking Chapter VII of the United Nations Charter for sanctions in the region of former Yugoslavia. We believe that that would only further aggravate the confrontation and would not be conducive to a final, comprehensive

political solution to the problems in the region of former Yugoslavia.

Based on our stated position on resolution 820 (1993), we have difficulties with regard to the portion of the draft resolution that seeks to reaffirm the relevant elements of that resolution. Therefore, the Chinese delegation will have to abstain in the voting on the draft resolution.

The President (*interpretation from French*): I thank the representative of China for the kind words he addressed to me.

Mr. Cárdenas (Argentina) (*interpretation from Spanish*): I should like to extend my sincere congratulations to you, Mr. President, on your assumption of the presidency of the Security Council for the current month. I should also like to place on record my delegation's appreciation of the outstanding job done by your predecessor, Ambassador Albright of the United States of America.

My delegation will vote in favour of the draft resolution before us because, by and large, we share the goals that inspired its sponsors.

The Security Council has already explicitly condemned the intensification of military activity in Bihac in the Republic of Bosnia and Herzegovina and the violation of that country's border with the Republic of Croatia. It therefore goes without saying that the relevant resolutions adopted by the Security Council regulating the transshipment of goods across the international borders with the Federal Republic of Yugoslavia (Serbia and Montenegro) must be strictly complied with.

In this connection my delegation trusts that the Federal Republic of Yugoslavia (Serbia and Montenegro) will expand its present cooperation and conform with the provisions of the draft resolution we shall be voting on today, thereby ensuring its effectiveness.

Finally, with regard to paragraph 1 of the draft resolution, my delegation would like to place it on record that in our opinion the word "Reconfirms" should be construed to mean a reaffirmation of the Security Council's determination.

The President (*interpretation from French*): I thank the representative of Argentina for his kind words addressed to me.

Mr. Lavrov (Russian Federation) (*interpretation from Russian*): First, allow me, Sir, to join my colleagues in congratulating you on your assumption of the presidency. I wish you success in your task and assure you that we will give you all support in your endeavour.

We should also like to take this opportunity to commend highly the Permanent Representative of the United States, Ambassador Madeleine Albright, for the way in which she led the Council's work as President last month.

The Russian delegation profoundly regrets that the draft resolution of the group of non-aligned countries on the implementation of the restrictions established in resolution 820 (1993) on imports and exports to the Bosnian and Krajina Serbs was brought to the Security Council for a vote. We feel that this initiative was completely inadequate to deal with the specific situation that has evolved to date in regard to the resolution of the crisis in the former Yugoslavia.

It is our firm view that tightening restrictions against the Krajina and Bosnian Serbs, whose destructive and disproportionate armed actions in the Bosnian conflict we condemn, in fact leads to a "tightening of screws" in the implementation of the sanctions regime established in resolution 820 (1993), the basic purpose of which, when it was adopted, was to step up the sanctions against the Federal Republic of Yugoslavia.

To be frank, there could hardly have been a more untimely moment for the submission of today's draft resolution. The Government of the Federal Republic of Yugoslavia has begun to cooperate constructively with the international efforts under way, for example those of the Contact Group, and has unconditionally supported the territorial settlement plan; it has closed its border to all deliveries of goods to the Bosnian Serbs with the exception of humanitarian supplies; and it is productively cooperating with the Mission of the International Conference on the Former Yugoslavia, as is reflected in that Mission's reports, including the latest one, dated 1 December, which was circulated today.

In the light of all that, the Russian Federation is of the opinion that the positive approach of the Federal Republic of Yugoslavia deserves further encouragement, *inter alia* by suspending the applicability of Security Council resolution 820 (1993). We intend to submit our concrete views on this, but in the present conditions any question — even indirect — of tightening the sanctions

regime is illogical, and we feel it is politically inadmissible.

There is another important factor as well: Only today, an economic agreement was signed in Zagreb and Knin in the presence of international mediators, a major event towards solution of the problems of Croatia which was welcomed by the Ministers of Foreign Affairs of the Contact Group at their meeting today in Brussels. At the same time, they emphasized that implementation of the agreement could lead to a *modus vivendi* in Krajina.

The adoption at such a time of a resolution aimed against the Krajina Serbs would not only cancel all efforts to bring about an economic agreement between the Republic of Croatia and the Serb authorities in the United Nations Protected Areas, but, in a broader context, would also undermine the negotiating process that we have been at such pains to set in train. The delegation of the Russian Federation has had an opportunity, in detail, to state its objections to this draft resolution during the Council's consultations. We pointed out clearly the inadmissibility of putting the draft resolution to a vote, particularly in such a hasty manner. Unfortunately, our words fell on deaf ears and our legitimate arguments were met with unconvincing responses. Accordingly, we have no choice but to vote against this draft resolution.

We hope that in the work of the Security Council on the Bosnian settlement, a sound, balanced approach, aimed at putting the process back on track towards a political settlement, will ultimately prevail. This is precisely the approach, based on the implementation of all Security Council resolutions, not unilateral steps, adopted by the Ministers of the Contact Group at their meeting in Brussels today.

The President *(interpretation from French)*: I thank the representative of the Russian Federation for the kind words he addressed to me.

I shall now put to the vote the draft resolution contained in document S/1994/1358.

A vote was taken by show of hands.

In favour:

Argentina, Brazil, Czech Republic, Djibouti, France, New Zealand, Nigeria, Oman, Pakistan, Rwanda, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:

Russian Federation

Abstaining:

China

The President *(interpretation from French):* There were 13 votes in favour, 1 against and 1 abstention. The draft resolution has not been adopted owing to the negative vote of a permanent member of the Council.

I shall now call on those members of the Council who wish to make statements following the voting.

Mr. Gnehm (United States of America): I should like to begin, Sir, by congratulating you on behalf of my delegation and on behalf, personally, of Ambassador Albright on the assumption of your responsibilities as President of the Security Council, and we look forward very much to working with you in the course of this month. I should also like to express my gratitude to those members of the Council who have expressed appreciation for Ambassador Albright's role in the past month, and I will certainly convey those greetings to her.

This draft resolution would have reaffirmed decisions already taken by the Council in previous resolutions. Under resolution 943 (1994), trade across the border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina is restricted to foodstuffs, medical supplies and clothing for essential humanitarian needs. The draft resolution would have addressed a serious discrepancy between these requirements and actual practice — specifically, the transshipment of prohibited goods from the Federal Republic of Yugoslavia (Serbia and Montenegro) through Bosnia to the United Nations Protected Areas in the Republic of Croatia. It is essential that the international community maintain its efforts to isolate the Pale Serbs and secure their acceptance of the Contact Group proposals. That is why we voted tonight for the draft resolution. Its failure to pass is regrettable, but that does not change the fact that a strict regime of economic measures directed at the Pale Serbs is already embodied in legal, binding resolutions of this Council, whose requirements are clear and unequivocal. We will continue our efforts to assure the firm application of the Council's measures in order to persuade the Pale Serbs that acceptance of the Contact Group proposal is in their interest and that rejection is not.

The President (*interpretation from French*): I thank the representative of the United States for the kind words he addressed to me.

Mr. Keating (New Zealand): Let me first congratulate you very warmly, Sir, on assuming the office of President of this Council. Please be assured that the New Zealand delegation stands ready to work with you and assist you in any possible way. In the same spirit, I want to congratulate and thank Ambassador Albright and the members of her team for their extraordinary work for and service to the Council during the month of November.

Tonight we have witnessed what I think is a very strange spectacle. But I believe that it is a spectacle which is also very sad. We had before us a draft resolution which I think was widely understood to establish no new economic sanctions. It simply reconfirmed the existing measures in place. Here I want to place on record my support for the interpretation given by the Ambassador of Argentina of the legal effect that the draft resolution would have had.

But this draft resolution did not pass. It failed because one delegation, as best I can understand it, believed that, politically, the time for the adoption of such a draft resolution was not right. We believe that this is strange, and indeed we find it hard to understand how historians will ever understand it at all, how they will ever understand that such an issue, which should be routine, became the subject of a veto.

But, as I have said, I also believe that it is a very sad occasion. It is sad because here was a draft resolution which in a modest way, because of its reference to resolution 943 (1994), did underline that those who cooperate with the Security Council will be rewarded. We do not believe that it was in any way targeted against the authorities in Belgrade. Instead, because of its reference, so explicit, to the Krajina Serbs, it underlined that those who deserve to be sanctioned should be sanctioned.

There was an opportunity here for the Council, in the face of the outrageous violations of international law in recent weeks by the Krajina Serbs, to re-emphasize our existing measures, but, instead, the wish of the majority of this Council has been frustrated. We have no doubt that the consequences of this evening's events will be felt for a long time to come, and we are also sure that no good will come of it.

The President (*interpretation from French*): I thank the representative of New Zealand for the kind words he addressed to me.

There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on the agenda. The Security Council will remain seized of the matter.

The meeting rose at 9.40 p.m.